

JUN 03 2002
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT APPLICATION

#22

In re PATENT APPLICATION of

Inventor(s): F. Abel Ponce de Leon et al.

Appln. No.: 09/

127,738

Group Art Unit: 1633

Examiner.: M. Wilson

Atty. Dkt. P 0275409

M#

Client Ref

Filed: August 3, 1998

Title: Production of Avian Embryonic Germ (EG) Cell lines by Prolonged Culturing of PGCs, Use Thereof For Cloning and Chimerization

RECEIVED

Date: June 3, 2002

JUN 05 2002

Hon. Commissioner of Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated December 2, 2001 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☒ previously.
6. ☐ Fee **NOT** required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,enter	\$320/160	\$320 119/219
If box 2 above is X'd,enter	\$320/160	\$0 120/220
If box 3 above is X'd,enter	\$280/140	\$0 121/221
If box 4 above is X'd,enter nothing	- 0 - (no fee)	
8. Original due date: March 2, 2002		
9. Petition is hereby made to extend the original due date (1 mo) \$110/\$55		115/215
to cover the date this response is filed for which the (2 mos) \$400/\$200		116/216
requisite fee is attached. (3 mos) \$920/\$460		117/217
(4 mos) \$1,440/\$720		118/218
(Usable only if box 2 is X'd--- 5 mos) \$1,960/\$980	+\$.	128/228
10. Enter any previous extension fee paid <input type="checkbox"/> previously since above		
Original due date (item 8); <input type="checkbox"/> with concurrently filed amendment	-\$0	
11. Subtract line 10 from line 9 and enter: Total Extension Fee		+\$.

12.

TOTAL FEE = \$320

(Our Deposit Account No. 03-3975)

(Our Order No.

015837

0275409

C#

M#

PLEASE CHARGE OUR DEP. ACCT.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

06/04/2002 JADD01 00000045 033975 09127738

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Pillsbury Winthrop LLP
Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO rec ipt (PAT-103A) and attachments

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